

71-14-R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, F. Duncan Cornell and R. Bruce Wood, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an RA zone to an B-L zone; for the following reasons:

1. There was a mistake in the original zoning
 2. Recent changes in the neighborhood since the last zoning of the property
- (See Brief attached)

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser

Address

William L. Jacob, Petitioner's Attorney

Protestant's Attorney

Address First National Bank Building
Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 15th day

of June, 1970, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of July, 1970, at 11:00 o'clock

AM 7:30 AM to 11:00 AM
County, on the 15th day of July, 1970, at 11:00 o'clock

By Edward D. Hardesty
Zoning Commissioner of Baltimore County

BRIEF TO SUPPORT PETITION FOR ZONING RECLASSIFICATION FOR 8906 CLEMENT AVENUE FROM R-A ZONING TO B-L ZONING

The property 8906 Clement Avenue fronts one hundred feet on Clement Avenue with an even depth of approximately one hundred forty feet. The property is located approximately one hundred forty feet northwest of the intersection of Joppa Road and Clement Avenue. It is to be noted that the traffic on Joppa Road has drastically increased in the last four years creating noise, dust and fumes which detract from any residential use of the property.

The adjoining property on the southwest is a dog kennel operated by A. B. Armstrong. This dog kennel is in operation along the entire southwest line of the subject property and is zoned B-L. In the summer time, due to vacations, the kennel has a heavy animal population and is noisy, odoriferous, and attracts traffic. It severely detracts from a residential use of the subject property.

In the rear of the property, Baltimore County recently granted a zoning permit to erect and operate thereon a Kelly Springfield Tire Company retail store and service area. This operation fronts approximately one hundred eighty feet on Joppa Road and comes across approximately one-half of the rear of the subject property. It seems appropriate to note here that the rear of the subject property faces upon the worse part of the operation of the service area, namely, the back of the store where the trash and other unfavorable aspects of the heavy business use exist. In addition to that, the Kelly Springfield Tire Company has filled in its land approximately four feet above the subject property and the slope to hold the fill is in a generally unsightly condition and is a very unfavorable aspect to 8906 Clement Avenue.

The remainder of the adjacent property along the rear of 8906 Clement Avenue is also zoned B-L and is presently for sale.

To the northeast of the subject property approximately one hundred feet northeast of the property line is a large stream

and drainage area and directly northeast of this is a very large apartment development containing hundreds of families.

The southeast side of Joppa Road at its intersection with Clement Avenue is occupied by the Satyr Hill Shopping Center. Recently, a gas station, commercial bank and savings and loan association have completed rather substantial business buildings at this location.

The entire frontage on Joppa Road on both sides has progressively become used for various retail businesses and commercial uses for some distance in all directions from Clement Avenue.

The subject property is close to the Perring Parkway-Joppa Road complex where there is substantial building in progress at this time. On the northwest corner of Perring Parkway and Joppa Road a large automobile dealership (Jerry's Govans) is in the process of construction. A large Ford dealership has just commenced operation near the southwest intersection of Perring Parkway and Joppa Road. A large supermarket is now in operation at the southwest corner of this intersection. The E. J. Korvette store and the shopping center that surrounds it is increasingly attracting tremendous traffic to the area and this comes from all directions.

The Petitioners' property is no longer saleable as a residence nor is it useable as R-A zoning for the reason that it is virtually surrounded by heavy business uses which would defeat home or apartment use.

It is respectfully requested that the zoning of the property be changed to B-L to fit in with the property that surrounds it.

Respectfully submitted,

F. Duncan Cornell

R. Bruce Wood

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyors
708 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204

April 21, 1970

Zoning Description

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point on the northwest side of Clement Avenue at the distance of 150 feet northeasterly measured along the northwest side of said avenue from the northeast side of Joppa Road and running thence and binding on the northwest side of Clement Avenue North 35 degrees East 100 feet, thence leaving said avenue and running the three following courses and distances viz: North 55 degrees East 140 feet, South 35 degrees East 100 feet and South 55 degrees East 140 feet to the place of beginning.

Containing 0.32 of an acre of land more or less.

Being the land of the petitioners herein as shown on a plat filed in the Baltimore County Zoning Department.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner Date: July 24, 1970

FROM: Mr. George E. Davis, Director of Planning

SUBJECT: Petition 71-14-R, Northwest side of Clement Avenue 150 feet Northeast of Joppa Road.
Petition for Reclassification from R.A. to B.L.
F. Duncan Cornell, et al - Petitioners

9th District

HEARING: Monday, July 27, 1970 (11:00 a.m.)

The subject request for reclassification was not on issue before the Planning Board in connection with the zoning maps approved by it last February. A review of this petition and issues relating thereto has led the Planning Board committee to recommend additional changes to the map which would extend the depth of commercial zoning along Clement Avenue to embrace the subject property as well as the property immediately across the street to the east.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 22, 1970

CITY OFFICE BUILDING
117 W. CHESAPEAKE STREET
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF PUBLIC UTILITIES

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

William L. Jacob, Esq.
First National Bank Building
Towson, Maryland 21204

RE: Type of Hearing: Reclassification
from an RA zone to an BL zone
Location: NW side of Clement Ave.,
150' No. of Joppa Road
Petitioners: F. Duncan Cornell &
R. Bruce Wood
Committee Meeting of May 12th, 1970
9th District
Item 312

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a dwelling, with the property to the north and east improved with dwellings in the same district. The property to the west is improved with a fire center. The property to the south is improved with a kennel. Clement Avenue is not improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Clement Avenue, an existing road, will be improved in the future as a 50-foot closed section within a 50-foot right-of-way. Highway right-of-way widening will be required in connection with any subsequent grading and/or building permit application. At such time as highway improvements are made, the adjoining property owners will be assessed therefor, in accordance with County policy then prevailing.

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Highways: (Continued)

The entrance locations are subject to approval by the Department of Traffic Engineering

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Water and Sanitary Sewers:

Public water supply and public sanitary sewerage is available to serve this property.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and Regulations when plans are submitted for conversion to Beauty Shop.

BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

This office has no comment on the proposed site.

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ZONING ADMINISTRATION DIVISION:

The petitioner will be required to submit revised plans to this office prior to the hearing indicating the proposed widening and proposed roadway width for Clement Avenue. Project Planning Division comments will be forthcoming at a later date.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JO
Enc.

GEG:mh



11-16-70

